



North Carolina Department of Environment and Natural Resources  
Division of Waste Management

Beverly Eaves Perdue  
Governor

Dexter R. Matthews  
Director

Dee Freeman  
Secretary

May 22, 2012

CERTIFIED MAIL 7010 3090 0001 4226 3325

RETURN RECEIPT REQUESTED

Mr. J. Bryan Smith  
Atlantic Sewage Control  
PO Box 2560  
Kitty Hawk, NC 27949

SUBJECT:     **Notice of Deficiency**  
Atlantic Sewage Control  
SLAS-27-21  
SR 1118 in Currituck County

Dear Mr. Smith:

On February 10, 2012, Mr. Chester R. Cobb with the State of North Carolina, Division of Waste Management Solid Waste Section received the application for renewal of septage land application site permit, SLAS-27-21 through email. Upon the review of the submitted documents, the following issue was noted:

- A. 15A NCAC 13B .0835 (g) states "Applications for renewal permits shall be submitted to the Division at least 90 days prior to the expiration date of the permit. The Division shall notify permit holders of facility permit expiration dates 120 days prior to permit expiration." An application for renewal of permit, SLAS-27-21, was received through email on February 10, 2012. However, the permit for SLAS-27-21 had expired on January 7, 2012. The application process requires the original documents with signatures to be mailed in to the Division.

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The above deficiency may have or can compromise the facility's ability to ensure protection of the public health and the environment and thus require remedial action on behalf of the facility in order to maintain compliance with 15A NCAC 13B .0835 (g). Atlantic Sewage Control must immediately complete the following:

**In the future, Atlantic Sewage Control shall submit the application for permit renewal 90 days prior to the expiration date of the permit. All signed documents must be originals and not copies.**

Failure to comply with this schedule may subject the facility and/or all responsible parties to enforcement actions including a notice of violation, civil penalty, injunction from operation of a solid waste management facility or a solid waste collection service and any such further relief as may be necessary to achieve compliance with the North Carolina Solid Waste Management Act and Rules. Pursuant to N.C.G.S. 130A-22(a) and 15A NCAC 13B .0701-.0707, an administrative penalty of up to \$15,000.00 per day may be assessed for each violation of the Solid Waste Laws, Regulations, Conditions of a Permit, or an Order issued under Article 9 of Chapter 130A of the N.C. General Statutes.

If you have any questions, please contact me at 919-707-8283 or e-mail [chester.cobb@ncdenr.gov](mailto:chester.cobb@ncdenr.gov).

Sincerely,



Chester R. Cobb, Soil Scientist  
Solid Waste Section

Cc: Martin A. Gallagher, Branch Head